

# Pasco public records requests lawsuit settled

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The city of Pasco has settled a lawsuit about public records requests.

The settlement, agreed to last month, calls for Roger E. Lenk not to appeal an Oct. 9 decision from Judge Sal Mendoza Jr. that dismissed the Franklin County Superior Court lawsuit.

In exchange, the city will not seek statutory fees from Lenk.

Mendoza ruled the city properly responded to Lenk's request for emails sent to and from city council members Saul Martinez and Rebecca Francik from their personal and government accounts.

They were among the four council members Lenk requested information from after they voted in favor annexing part of the "doughnut hole" near west Pasco. He also sought emails involving City Manager Gary Crutchfield.

The city was entitled to attorney fees of about \$200 because it was the prevailing party, said Pasco Assistant City Manager Stan Strebel.

The city is still required to provide Lenk with the public records he requested on the schedule that was already approved, Strebel said.

Lenk told the Herald his main concern is waiting until February 2016, when the city is required to provide the last of the documents related to his public records request.

Mendoza's ruling also included an order that the city provide Lenk the metadata from the emails at that time. Metadata, or "data about data," is hidden information about an email that shows things such as where and when it was sent and anyone who was blind copied on it.

Lenk will show the city failed to respond to the emails once the deadline is reached, he said.

Another lawsuit brought against the city in 2012 by Citizens for Lifestyle Preservation, an anti-annexation group co-founded by Lenk, remains active, Strebel said. That lawsuit claims that some of the utility agreements signed by residents, which the city uses to start the annexation process, were invalid because they weren't properly notarized.

"It's just been sitting with no action for a year," Strebel said of that lawsuit.

Pasco was able to annex an area between Road 52 and Road 68, south of the Franklin County Irrigation District canal after getting enough signed utility agreements. Lenk lives in a part of the doughnut hole that remains in unincorporated Franklin County.